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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,679	05/31/2001	Martin John Millmore	19111.0057	7209

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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON, DC 20006

EXAMINER

AMINI, JAVID A

ART UNIT	PAPER NUMBER
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2628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/867,679

Applicant(s)

MILLMORE ET AL.

Examiner

Javid A. Amini

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2, recited the controller is adapted to enable a user to define the content of the store. The term “adapted to” is used as claim language that does not limit a claim to a particular structure. Furthermore, the statements of intended use or field of use, “operable to”, “adapted to”, or “capable of” clause are essentially method limitations or statements of intended or desired use. Thus, these claims as well as other statements of intended use do not serve to patentably distinguish the claimed structure over that of the reference.

Claim Objections

Claims 1, 2 are objected to because of the following informalities: claim 1, line 3 recited “the system comprising a store for storing ...”. Examiner believes the term “a store” should be substituted with term “a storage”. Similar concern applies to claim 2. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day, Jr. et al (4,763,356) (hereinafter Day) in view Kennedy et al (6,651,217)

Regarding claim 3, Day discloses (Figs. 3 and 4) a computer-implemented system for controlling the appearance of a data entry form on a display (form 30 on a display 15). The method comprises the step of causing a data entry form (30) to be displayed on a display (15) in accordance with stored attributes (highlighted attribute) (Column 3, lines 47-51). The data entry form (30) having at least one data entry field (Fig. 3, entry field 41), wherein a user can inserts the word "CONVERTIBLE" model for the entry field (41). As shown in Fig. 4, upon inserts the name "CONVERTIBLE", the form entry system dynamically altering the data entry form and the display of the data entry form by highlighting the next field and bring up the corresponding tool (50) to fill in that field (Column 3, line 63 to column 4, line 2).

However, Day fails to explicitly specify the step of monitoring data values entered into the at least one data entry field (Claim 3, lines 4-5).

It would have been to a person of ordinary skill in the art to recognize that the form entry system of Day would monitor which car model, such as roadster (42), 4 DR. sedan (43), etc. being entered and change the tool menu responsively to the user's selection.

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Kennedy (6,651,217), on the other hand, discloses (Fig. 2) a user of client computer (204) visits web site (201) and enters his name, address, and telephone number into form (250), modified web browser (205) associates the values entered by the user with field labels appearing near the values and stores the values into a data structure (206) for future use (Column 6, lines 23-29).

Kennedy further discloses a profile generator function (205c) extracts the name, address, and phone number entered by the user, fills out the corresponding fields in auto fill profiled (203) by matching field labels in form (250) with those in auto fill profile (203), and prompts the user to fill in missing data items such as e-mail.

When the user has completed the user profiled, the completed form is saved and used as the basis for populating future forms (Column 6, lines 50-58). Kennedy further teaches "In accordance with one aspect of the present invention, data values for the fields that were filled in by the user in Fig. 4 are extracted, matched with the fields in the auto fill profile, and presented to the user as shown in Fig. 6" (Column 8, lines 27-31).

Thus, based on this teaching, the form entry system of Kennedy monitors the data values entered by the user, such as his name, address, and telephone number.

Therefore, it would have been obvious to the person of ordinary skill in the art to use the monitoring or matching processed of Kennedy into the form entry system of Day to create a profile generator for storing the car buyer profile for future use.

Regarding claim 1, note the rejection as set forth above with respect to claim 3.

Regarding claim 2, Kennedy discloses (fig. 2) the controller (client computer 204) is adapted to enable a user to define the content of the store (Profile generator 205c defines the content of the stored data).

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Regarding claim 4, note the rejection as set forth above with respect to claim 10.

Regarding claim 5, note the rejection as set forth above with respect to claim 11.

Regarding claim 6, note the rejection as set forth above with respect to claim 12.

Regarding claims 7-9, note the rejection as set forth above with respect to claims 13-15.

Regarding claims 10 and 12, Day discloses (Figs. 8-9) a corresponding further data entry field (fields 85-1 to 85-7) is an address entry field having a correct format for the address style data value (the dealer address style data value). See column 5, lines 48-58.

On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding further data entry field is an address entry field having a correct format for the address style data value (the highlighted auto fill address style).

Regarding claim 11, Kennedy discloses (Figs. 7 and 8) the corresponding further data entry field corresponds in form with the data value entered into one data entry field. Figs. 7 and 8 shows different form styles with certain fields highlighted to indicate that they contain automatically suggested values. See column 8, line 54 to column 9, line 13.

Regarding claim 13, Day discloses (Figs. 8-9) wherein the controller (computer 20) further displays a corresponding plurality of further data entry field (fields 85-1 to 85-7) according to the stored attribute data (the dealer address attribute data values). See column 5, lines 48-58. On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding plurality of further data entry fields according to the stored attribute data (the highlighted auto fill attribute data).

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Regarding claim 14, Kennedy discloses (Figs. 7 and 8) a corresponding plurality of further data entry fields correspond in form with the data value entered into the one data entry field. Figs. 7 and 8 shows different form styles with certain plurality of fields highlighted to indicate that they contain automatically suggested values. See column 8, line 54 to column 9, line 13.

Regarding claim 15, Day discloses (Figs. 8-9) a corresponding further data entry field (fields 85-1 to 85-7) indicating a style (the dealer information address style) and the corresponding plurality of further data entry fields (fields 85-1 to 85-7) have correct formats for the indicated style (the dealer address style data value). See column 5, lines 48-58. On the other hand, Kennedy also discloses (Figs. 7 and 8) a corresponding further data entry fields having a correct format for the address style data value (the highlighted auto fill address style).

Conclusion

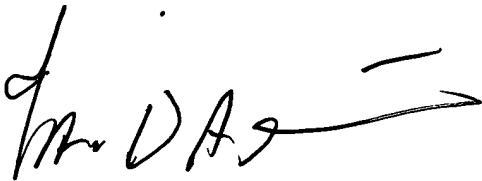
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Javid A Amini
Examiner
Art Unit 2628

J.A.

A handwritten signature in black ink, appearing to read 'Mr. J.A. Amini', with a long horizontal stroke extending to the right.